

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HUSSMANN Examiner: Won, M.
Serial No.: 10/825,929 Group Art Unit: 2155
Filed: April 16, 2004 Docket No.: KOLS.105PA
Allowed: January 16, 2008 Confirmation No.: 9038
Title: ELECTRIC DEVICE, COMPUTER PROGRAM, SYSTEM AND
METHOD OF SETTING UP USER APPLICATIONS

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this communication is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 15 2008.

By: 
Rennae Johnson

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

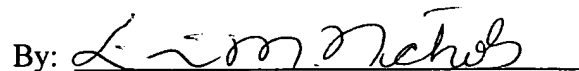
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet
- ☒ Please charge Deposit Account No. 50-3581 (KOLS.105PA) the amount of \$1,740.00 (\$1440.00 for the Issue Fee and \$300.00 for the Publication Fee).
- ☒ Part B-Issue Fee Transmittal (1 page)
- ☒ Amendment After Allowance (12 pages)
- ☒ Comments on Statement for Reasons for Allowance (2 pages)
- ☒ 1 Return Postcard.

Authorization is given to charge/credit Deposit Account No. 50-3581 (KOLS.105PA) for any deficiencies/overpayments associated with this filing.

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PATENT

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By 
Rennae Johnson

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Communication addresses the Examiner's Statement of Reasons for Allowance submitted on January 16, 2008 (Official Paper No. 20071128). The Examiner has identified particular features of the claimed invention that are not taught or suggested by the prior art. Applicant notes that the statement is silent with respect to other features and recitations of the allowed claims; therefore, the Examiner did not address whether the cited prior art teaches, or fails to teach, each of the features of the allowed claims. Although the Examiner did not suggest that the cited prior art teaches all other limitations of the allowed claims, Applicant makes clear for the record that any such interpretation of the Reasons for Allowance would be incorrect and impermissible. The allowed claims include other recitations, not identified by the Examiner as being taught by the cited prior art, which are neither described nor suggested by the prior art.

Accordingly, to the extent that the Reasons for Allowance may imply that the claimed invention was allowed due to the failure of the cited prior art to disclose only those claim recitations specifically referenced in the Reasons for Allowance, Applicant disputes any such

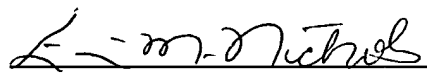
implication. For example, if the particular distinguishing features identified in the Reasons for Allowance were indeed found to be associated with a particular prior art reference of record, the claimed invention would not be rendered anticipated under 35 U.S.C. § 102 as the claimed invention includes numerous limitations not addressed in the Reasons for Allowance. With respect to obviousness under 35 U.S.C. § 103(a), the rigors of establishing *prima facie* obviousness include a showing that the prior art teaches all of the claim limitations, as well as a legally appropriate showing of motivation to modify or combine references to arrive at the claimed invention and a reasonable expectation of success.

In view of the Examiner's allowance of all pending claims, the comments provided herein are not provided in an effort to distinguish the pending claims from the prior art. Rather, these comments are provided to make clear that Applicant does not acquiesce that other features and recitations of the allowed claims are necessarily described or suggested by the cited prior art, if such an inference could reasonably be drawn. It is respectfully submitted that Applicant has not intended to narrow, nor has Applicant narrowed, the breadth of the allowed claims through the explanatory comments provided herein.

Unless Applicant hears otherwise, Applicant's comments are, as intended, clarifying in a manner consistent with the law.

Respectfully submitted,

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